

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

REGINALD WESTON,

Petitioner,

vs.

CASE NO. 02-75135
HON. LAWRENCE P. ZATKOFF

ANDREW JACKSON,

Respondent.

ORDER

On October 31, 2003, this Court issued an Opinion and Order in which it denied Petitioner's *pro se* habeas corpus petition under 28 U.S.C. §2254. In the 20 months after that Opinion and Order was issued, Petitioner filed a number of documents with the Sixth Circuit Court of Appeals in an effort to have the Opinion and Order reviewed. On April 1, 2004, the Sixth Circuit dismissed his appeal for failure to timely pay fees. Petitioner's writ of certiorari to the U.S. Supreme Court was denied on December 14, 2004. Finally, on July 18, 2005, nearly two years after this Court issued the above Opinion and Order and over seven months after the Supreme Court denied his writ of certiorari, Petitioner filed a "Motion for Relief from Judgment" in this Court.

Looking at the Motion in a light most favorable to the Petitioner, and ignoring its untimely nature, the Court shall treat such Motion as a motion for reconsideration. However, a motion for reconsideration is governed by E.D. MICH. LR 7.1(g)(3), which states, "the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication."

In the instant case, Petitioner has merely presented the Court with the same issues ruled upon by the Court in the October 31, 2003, Opinion and Order. Accordingly, Petitioner's "Motion for Relief from Judgment" (Docket #36) is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: March 7, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on March 7, 2006.

s/Marie E. Verlinde

Case Manager

(810) 984-3290